

REMARKS/ARGUMENTS

The Office Action of July 19, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 9, 11, 13, and 15 have been amended.

Claims 9, 11, 13, and 15 have been amended to clarify that the demander is the demander purchasing the commodity. No new matter is added by this amendment.

The demander is the one selects the material and the processing. The demander simply does not accept what is available from a supplier. In the prior art, a demander of a commodity would make a request and the supplier, or others in the supply chain, would supply the product in accordance with their own materials and processing. Other than selecting the desired product, the demander would have no input on the materials and processing.

Claims 9, 11, 13 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. (U.S. Patent No. 5,854,746) in view of newly cited Grettve et al. (U.S. Patent No. 6,591,243).

Yamamoto is discussed in the amendment filed on April 16, 2004. For the reasons previously discussed, Yamamoto does not teach or suggest a system which allows the demander who wishes to purchase a final product to *select both* the desired material and the desired processing of the material (which is received by the system as information on the desired material and processing.) The system in Yamamoto focuses on the manufacturer and the raw materials needed by the manufacturer to produce a product. The product is selected by a demander of the final commodity, but this demander does not select the raw materials and processing used. Instead the raw materials and processing are determined by the needed production quantity.

Contrary to the position urged in the bullet points on pages 2-3 of the Office Action, the demander of the final product has no input into the selection of the raw materials and the processing of the product. Instead the raw materials and the processing are determined at the manufacturing level based on the quantity of a desired product. In fact, the system of Yamamoto

is designed to be flexible whereas such flexibility may not be available if the demander is allowed to choose the desired raw materials and processing.

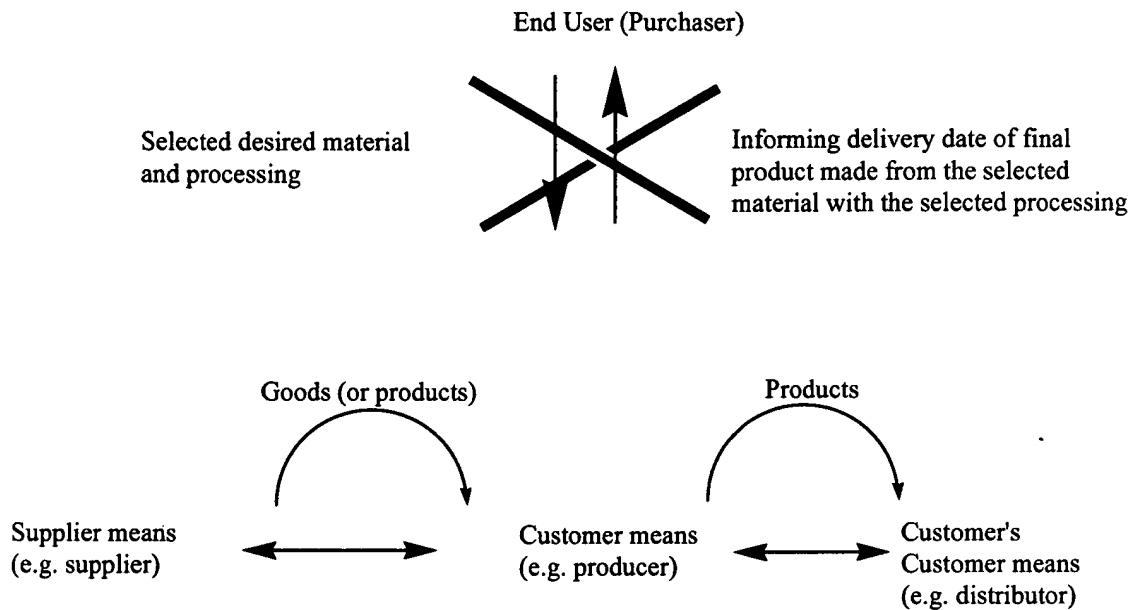
Yamamoto further does not teach or suggest a system that can calculate and output a general delivery date of the final product made from the selected material with the selected processing, based on information received for the desired material and processing, and information received regarding material and processing. Rather, the Yamamoto system utilizes *predetermined* materials or processing to produce the final product, instead of choosing the material or processing according to the demander's needs.

Moreover, in Yamamoto, the production of products does not start upon receipt of an order from the demander. Instead, in Yamamoto the demanded quantity of the products is estimated beforehand and then the production of the products starts before onset of the actual demand. This is in contrast to the systems of instant claims wherein the production of products begins upon receipt of order from the demander.

In Yamamoto, there is no opportunity (or necessity) for calculating and outputting delivery time of the final product (as indicated in a display of the demander's computer) for the reason described above. Yamamoto discloses a system which makes it possible to obtain sufficient raw materials on schedule for manufacturing the required quantity of the final product. In contrast, the claimed system provides customized products according to the demander's needs, and delivery date of the products is flexible.

Yamamoto simply does not teach or suggest a system wherein the demander of a final commodity selects the materials and processing that is used in the manufacture or the commodity. Grettve (U.S. 6,591,243) does not remedy the defects of Yamamoto.

Grettve provides a delivery automation system wherein a delivery suggestion is generated based on information about product balance, quantity, or storage. Like Yamamoto, Grettve does not teach or suggest a system which allows a demander (end user) who wishes to purchase a final product to *select the desired material and desired processing*.

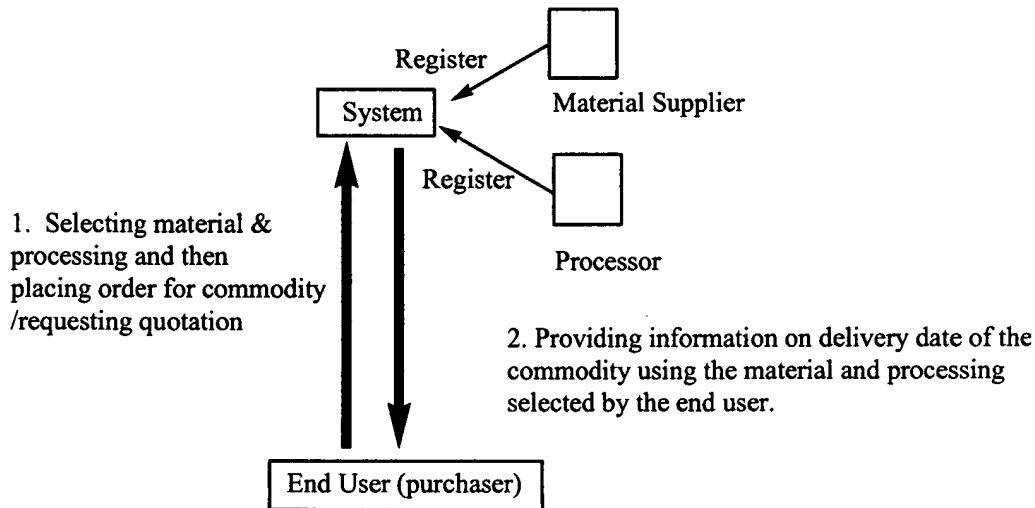


As illustrated above, the demander (end user or purchaser) purchasing the final product does not select, and has no opportunity to select, the materials and processing used in constructing the final product. Thus, Grettve does not suggest that the system can calculate and output a delivery date of the final product made from the material *selected by* the demander with the processing *selected by* the demander.

Instead, the system of Grettve provides efficient delivery of a product (a ready-made article) or goods between the supplier and the customer, by predicting demand time and demand quantity. More specifically, the "demand time" is the time when a shortage occurs, and the "delivery time" is the time when a suggested delivery must begin at the supplier due to the "demand time". The "delivery time" referred in Grettve has nothing to do with, and does not depend on, material or processing selected by the demander.

As discussed in the amendment filed April 16, 2004, the system of the claimed invention allows a demander who wishes to purchase a commodity to *select* desired material and processing from information on plural kinds of available material and processing to obtain a final commodity manufactured with the *selected* material and processing. The system is also capable

of informing the demander of a delivery date of the final commodity manufactured with the *selected* material and processing.



Grettve does not teach or suggest allowing the demander of the commodity to select the materials and processing. Instead, like Yamamoto, Grettve works with ready made products. Thus, Yamamoto, taken with or without Grettve, does not teach or suggest the system of the instant claims.

Claims 10, 12, 14 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. (U.S. Patent No. 5,854,746) in view of Grettve et al. (U.S. Patent No. 6,591,243) and further in view of the "Earth-friendly good" article.

Yamamoto in view of Grettve does not teach or suggest the instant claims for the reasons identified above.

The "Earth-friendly good" article does not remedy the defects of Yamamoto and Grettve. Although the article describes using thinned-out wood to make, for example, furniture, the article does not describe any system to allow information on desired wood material, desired production place, and desired processing from an end user to be matched with wood available from thinned-out woods, production places, and available processing.

The article is unrelated to the systems of Yamamoto and Grettve and there is simply no reason one skilled in the art would have substituted thinned-out wood for the products described

Appln. No.: 09/846,358
Amendment dated October 5, 2004
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in Yamamoto or Grettve. However, even if the raw material of Yamamoto or Grettve was thinned out wood, neither teaches or suggests a system based on the demander's need. Instead it is directed to using *predetermined* raw materials to make final products which will then be pushed into commerce. There is no demander in the Yamamoto or Grettve systems as required by the instant claims. Withdrawal of the instant rejection is requested.

CONCLUSION

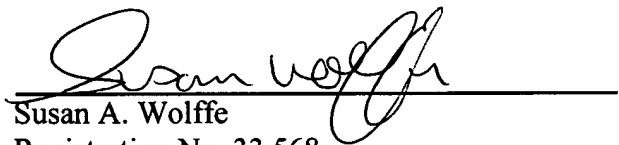
In view of the above amendments and remarks, withdrawal of the rejection and issuance of a Notice of Allowance is requested.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 05, 2004

By:


Susan A. Wolffe
Registration No. 33,568

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001